



INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P045123PCT GRO/do	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/NL 03/00655	International filing date (day/month/year) 24.09.2003	Priority date (day/month/year) 24.09.2002
International Patent Classification (IPC) or both national classification and IPC A47B88/04		
Applicant DRIESSEN AIRCRAFT HOLDING B.V. ET AL.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 05.03.2004	Date of completion of this report 13.07.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016	Authorized Officer van Hoogstraten, S Telephone No. +31 70 340-4505 

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International application No. **PCT/NL 03/00655**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-7 as originally filed

Claims, Numbers

1-13 as originally filed

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-13
	No: Claims	
Inventive step (IS)	Yes: Claims	1-13
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-13
	No: Claims	

2. Citations and explanations

see separate sheet

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Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following document:

D1: US 4129347 A

Document **D1**, which is considered to represent the most relevant state of the art, discloses (cf. figures 6 and 7) a drawer from which the subject-matter of claim 1 differs in that the internal supporting foot spacing W is greater than the external support body spacing V and the supporting foot depth Y is greater than the recess distance X .

The subject-matter of claim 1 is therefore new (Article 33(2) PCT).

The problem to be solved by the present invention may be regarded as providing for a drawer which is capable of being supported on and suspended from a rail, so that two such drawers may be simultaneously supported on the same said rail one above the other.

The solution to this problem proposed in claim 1 of the present application is considered as involving an inventive step (Article 33(3) PCT) for the following reasons: The particular configuration of the drawer (solution) is not suggested by prior art available and is in itself not obvious, because the problem it solves has not been addressed by prior art. Also no hints can be found in the present state of the art that teach to modify the known arrangements to produce the drawer as claimed.

Claims 2-13 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step. Subject-matter of dependent claims 8-13 relates to combinations of the novel and inventive drawer with larger objects and thus is novel and inventive.

However, subject-matter of claim 2 and all claims dependent of claim 2 is deemed not to meet the requirements of Article 6 PCT. The reason therefore is the following: In claim 2 the parameter S =Spacing is not clearly defined. The vertical distance H between the top of the uppermost recess and the bottom of the supporting foot is assumedly measured in the SI unit of metres. Consequently, the unit of parameter S should also be metres. Moreover, no value is given for parameter S . Consequently, the vertical distance H may be anything from zero to an infinite amount of metres, thus

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rendering claim 2 unclear.

For reasons of efficiency it is assumed that the Spacing S falls within the range of 30-60 mm, as is clearly deducible from the description.

Although claim 1 is drafted in the two-part form the features "the side walls each provided with a supporting foot which extends along the entire side wall and, viewed in the vertical direction, extends below the bottom surface to a supporting foot depth Y, and the insides of the supporting feet, viewed in a horizontal direction, having an internal supporting foot spacing W" are incorrectly placed in the characterising portion, as they are disclosed in document D1 in combination with the features placed in the preamble (Rule 6.3(b) PCT).